IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.122 OF 2007
AND
CIVIL APPLICATION NO.123 OF 2007

IN

FAMILY COURT APPEAL (ST.) NO.3027 OF 2007

Mohini Suyog Dahiwadkar ...Applicant
V/s.
Suyog Vasudeo Dahiwadkar ...Respondent

Mr.H.P. Vyas and Mr.Ajit Kulkarni, Advocates, for the Applicant.
Ms.Seema Sarnaik, Advocate, for the Respondent.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 11TH JUNE, 2007.

P.C. :

1. Heard the learned Counsel for the parties.

2. This Civil Application is filed for condonation of delay by the applicant. The application for maintenance has been rejected. The reason given in the application for preferring the Appeal after delay of 123 days is as the talks of compromise were going on between the parties, however the said talks of compromise have failed and, therefore, the applicant

has decided filing of the present Appeal.

3. The learned Counsel appearing for the Respondent submits that this is totally a false ground being made out in the Application for condonation of delay as no talks of settlement are going on between the parties.

4. Whatever may be the case, we are of the view that the matter deserves to be considered on merits by condoning the delay. Delay is condoned. By consent, the Appeal is taken up for admission.

5. Heard. Admit.

6. The learned Counsel for the Respondent waives service for Respondent. The learned Counsel for the Respondent submits that she may be granted four weeks time to file reply.

7. Rule on application of interim relief.

8. S.O. for four weeks.

[J.N. PATEL, J.]

[A.A. SAYED, J.]